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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,465	11/08/1999	JUNICHI REKIMOTO	SONY-Q-9320	6689

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EXAMINER

JOSEPH, THOMAS J

ART UNIT PAPER NUMBER

2174

DATE MAILED: 04/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/436,465

Applicant(s)

REKIMOTO, JUNICHI

Examiner

Thomas J Joseph

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 November 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1 – 4, 6, 8 – 9, 14 – 16, 18, 20, 21, and 26 – 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Jenson et al (pat. # 6,236,396).

Claims 1, 14, and 26 are rejected. Jenson teaches a hardware device that uses software (fig. 2). Such a device is the "information processing apparatus" and "information processing method" recited in claims 1 and 14. Jenson teaches the display of day and time settings means for setting desired day and time (fig. 3a). This information requires the use of a "storage means for storing created or changed data in such a manner as to correspond to time information" as taught in claim 1. Further, a "data and time setting means for setting desired data and time" is recited in claim 1. Jenson teaches a method for choosing "a desired date or dates on the calendar to

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automatically display the schedules for that date or dates" (abstract). This translates into the requiring of the "control means for reproducing the state of data corresponding to said set day and time on the basis of said time information." The display operation taught by Jenson is also a method for reproducing the said state of data corresponding to said set day and time.

Claims 2, 15, and 27 are rejected. Jenson teaches display of specific information corresponding to time information wherein data and time setting means sets day and time according to a past or future screen (fig. 5a – 5b). This teaching by Jenson translates or is interpreted as an information processing apparatus according to claim 1, wherein "said storage means stores a created or changed file in such a manner as to correspond to time information, said day and time setting means sets day and time according to a past or future screen, and said control means performs control so that a file of the day and time corresponding to said past or future screen is read from a storage means, is reproduced, and is displayed on the screen." All time data stored in the apparatus is stored in some type of file. Any data displayed on a screen or window must be read from storage means, reproduced to a display memory, and then displayed on the screen.

Claim 3 is rejected. Jenson teaches or demonstrates the entering of character strings into the scheduler (fig. 3a). Jenson teaches the user of a stylus for entering data including time data (col. 6, lines 4 – 7). Jenson translates into an "input means for inputting a character string to be retrieved" recited by the applicant in claim 3. Jenson teaches selecting time data "when the stylus (38) is lifted from the screen (42), step (56)

realizes that a date or range of dates has been selected" (col. 6, lines 4 – 7). This selection results in the retrieval of information associated with the said dates. The applicant teaches in claim 3 a "retrieval means for retrieving a file corresponding to the character string input from said input means with respect to a past or future screen."

Claims 4 and 16 are rejected. Jenson teaches the use of QUICKDRAW for entering graphics information associated the particular date and time along with the date and time (col. 5, lines 33 – 36). Jenson teaches a character string (fig. 3a). Jenson demonstrates a "a document file, an image file, and a character string."

Claim 6 and 18 are rejected. Jenson teaches the use of QUICKDRAW for entering graphics information associated the particular date and time (col. 5, lines 33 – 36). Jenson in doing so provides a "storage means that stores the "day and time at which said file is changed and the revision information of said file" as taught by the Applicant.

Claim 8, 20, and 28 are rejected. Jenson demonstrates an apparatus where the user selects a day then receives additional information regarding that day onto a computer screen (fig. 3a). Jenson in doing so teaches "time information transmission and receiving means which is capable of transmitting and receiving said time information is provided." The selecting process taught by Jenson is allowing a "said position is also stored in such a manner as to correspond to time information in said storage means." Further, the act of displaying taught by Jenson is a "setting means sets said day and time on the basis of received time information".

Claim 9 and 21 are rejected. Jenson teaches selecting a day and receiving information regarding the said day (fig. 3a). Jenson in doing so teaches a "position detection means for detecting a position is provided, said position is also stored in such a manner as to correspond to time setting means sets day and time on the basis of time information corresponding to said position."

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson et al. (pat. # 6,236,396) as applied to claims 4 and 16 above, and further in view of Heatherington et al. (pat. # 6,141,005).

Claim 5 and 17 are rejected. Jenson fails to teach a color of said character string changes over time and is displayed on said screen. Heatherington teaches a control means for performing controls so that the color of said character string changes over time and is displayed on said screen (fig. 11; col. 11, lines 45 – 55). The days on the calendar with altered colors are time related character strings. The highlighted days are considered days on the calendar having altered color. Character strings appear in the form of numbers, letters, and/or punctuation. It would have been obvious to one with

ordinary skill in the art at the time of the invention to alter color of character string of over time because doing so can alert the user quickly as taught by Heatherington.

5. Claims 7, 10 – 13, 19, and 22 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson et al (pat. # 6,236,396) as applied to claims 1, 2, 14, and 15 above, and further in view of Microsoft Outlook 97 by Russell Borland.

Claim 7 and 19 are rejected. Jenson fails to teach the “storing step stores the difference between said file before it is changed and said file after it is changed. However, processing files in such a manner is suggested through the use of calendar whenever the user makes reference to specific documents in the calendar notes. Microsoft Outlook teaches a method wherein the “storing step stores the difference between said file before it is changed and said file after it is changed, and said control step reproduces a desired file from said difference on the basis of said time information” (p. 339). The user can save a new copy of a work file each day. This would in essence be the method for the “storing step stores the difference between said file before it is changed and said file after it is changed, and said control step reproduces a desired file from said difference on the basis of said time information” recited by the Applicant. It would have been obvious to one with ordinary skill in the art to combine the method for the “storing step stores the difference between said file before it is changed and said file after it is changed, and said control step reproduces a desired file from said difference on the basis of said time information” by Outlook with the time and date system taught by Jenson because doing so enables the user to track changes to stored files as taught by Outlook.

Claims 10 and 22 are rejected. Jenson teaches a storage means stores an application program which is capable of transmitting and receiving time information, said day and time setting means sets said day and time on the basis of the time information (fig. 5a – 5d). Jensen fails to teach a said day and time setting means sets said day and time on the basis of time information received from another application program. Outlook teaches a said day and time setting means sets said day and time on the basis of time information received from another application program, and said control means for reproducing the state of the application program corresponding to the set day and time.

Claim 11 and 23 are rejected. Jenson teaches a means wherein the user selects a day and receives information related to the said day. This is a method for setting a “said day and time setting means sets the day and time closest to said received time information” (fig. 3a). The Applicant use of the phrase, “closest to said received time information” is a relative term that can be interpreted as meaning anywhere on the small screen taught by Jenson.

Claim 12 and 24 are rejected. Jenson teaches a calendar system (fig. 3a). Jenson fails to teach storing and accessing files in a date and time based journal. Outlook teaches a method for storing and accessing files in a date and time based journal (p. 339). This management system translates into a “file management system.” It would have been obvious to one with ordinary skill in the art to combine the method for the a method for storing and accessing files in a date and time based journal by Outlook with the time and date system taught by Jenson because doing so enables the

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user to track store and retrieve file based data such as documents in addition to schedule information as taught by Outlook.

Claim 13 and 25 are rejected. Jenson demonstrates an application program containing "a position and time information management program for managing input position information and the time information corresponding to the position information" as taught in claim 13. The selecting of days on the calendar is time related information and is also selecting a position. Accessing information already becomes an operation for "managing input position information and the time information corresponding to the position information".

#### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J Joseph whose telephone number is 703-305-3917. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

tjj  
March 22, 2002



*Kristine Kincaid*  
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